THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :9069 of 2007

DATED:30-04-2007

BETWEEN:

Prathapaneni Ravi.

..... PETITIONER

AND

The Additional Agent to Government/Project Officer,
ITDA, Bhadrachalam,
Khammam District & 2 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Social Welfare appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the inaction of the 1st respondent in passing appropriate orders either on the stay petition or on the appeal filed by the petitioner on 05-10-2006 against the order of eviction in Case No.238/2001/ENK, dated 18-06-2005, passed by the 2nd respondent, as illegal and arbitrary.

3. It is the case of the petitioner that on a report filed by the Special Deputy Tahsildar, Tribal Welfare, Bhadrachalam, dated 19-07-2001, to evict the petitioner from the schedule property bearing Sy.Nos.212 admeasuring Ac.8.06 gts; Sy.No.214/A admeasuring Ac.3.20 gts; and Ac.216(VUU) admeasuring Ac.3.00, total extent of the land in Ac.14.26 gts, situated at B.R.Puram village, Enkur mandal, Khammam District, the 2nd respondent-Special Deputy Collector, Tribal Welfare, Bhadrachalam in Case.No.238/2001/ENK by order, dated 18-06-2005, ordered ejectment of the petitioner from the property in question and Government to take custody of the same and assign to the eligible tribals as per rules in force. Aggrieved thereby, petitioner filed appeal on

05-10-2006 before the 1st respondent, but the appellate authority

has not considered and disposed of the said appeal as well as the stay application. It is further stated that even pending disposal of the appeal, 1st respondent is taking steps to dispossess the petitioner. Hence, the present Writ Petition.

4. Having regard to the facts and circumstances of the case, Writ Petition is disposed of directing the 1st respondent to consider and dispose of the said appeal, dated 05-10-2006, filed against the Case No.238/2001/ENK, dated 18-06-2005, of the 2nd respondent-Special Deputy Collector, Tribal Welfare, Bhadrachalam, as expeditiously as possible after hearing all the concerned and pending disposal of the appeal, S*tatus quo* with regard to the possession obtaining as on today shall be maintained. No order as to costs.

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V.ESWARAIAH,J

30th April, 2007.
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